

The words of Prosecutor Beckman of Somerset County, in which the bodies were found, that a shot or shots had been fired into the bodies of the rector and Mrs. Mills as a coup de grace, or a vicious expression of hatred after being carried to the spot where they were discovered thirty-six hours later. This accounts for the three shells, tossed out of an automatic pistol, which were found beside the bodies.

"This is a cold-blooded, deliberate murder," said Mr. Toolan, when he arrived at his office to-day after three hours' rest from his labors last night. "It was well planned and executed. From time to time we have said we have eliminated this or that person. We were hasty."

"We have eliminated no member of the Hall household or of the Mills household. The motive was jealousy and revenge. There is nothing to support any possibility of a kidnapping explanation. There is nothing to support any hint of a blackmail plot. It was nothing but a cold-blooded murder."

"We uncovered evidence last night of the utmost importance. It shows the deliberate planning of the crime. After last night's work I can say with confidence that we are damned close to the guilty people. There may not be an arrest to-day, but we are on the very edge of being able to explain what we have in our possession."

Jama Mills, the sexton, for whom Mr. Toolan had detectives searching all day yesterday, returned to his home at 11 o'clock last night. He said he had gone away because he was afraid of a nervous breakdown and thought the prosecutors were "through with him." He said he would go to Mr. Toolan's office as soon as it was open this morning and did so.

A number of statements made by him heretofore and accepted as true are said to be inconsistent with recent discoveries by Detectives David and Ferguson of Middlesex and Detectives Totten of Somerset. The authorities of both counties, now that they have come to the opinion that the shooting of the Rev. Mr. Hall and Mrs. Mills may have been begun in one county and ended in another—the Phillips farm is on the boundary line—are working together to clear up all their present investigation, with a grim rivalry between them for one of prestige of being the first to clear up the ghastly tragedy.

One of the matters Mills may help make clear is the telephone calls to Mrs. Mills received just before she went out from her home to her death.

Mr. Mills has told of a message coming from the home of Mrs. Ople, next door, calling his wife to the telephone. On her return Mrs. Mills threw a scarf about her and hurried out. Mr. Mills asked her where she was going.

"Follow me and find out," she said, with the laughing, almost contemptuous, defiance with which she had treated her customarily meek husband for months, according to the neighbors.

Sometimes she was even less gentle in her treatment of her husband; her married sister, who lives in Spottswood, says that on a recent visit Mrs. Mills broke off a sisterly conversation to jump up and box her husband's ears violently because he had not stopped chewing tobacco at her command.

But from the candy store of N. Blitt, at No. 24 Abell street, the detectives have learned that at a little earlier hour a boy was sent to Mrs. Mills because of a telephone call for her there and she answered it. If Mr. Mills knew of this earlier call he has said nothing about it. It is desired to learn whether it was a message from the Rev. Mr. Hall or from some one who wanted to get her away from her home for a few minutes.

Mr. Toolan and his chief, Mr. Stricker, began to-day their task of questioning the 500 members of the congregation of St. John the Evangelist. They want to learn just how much was known by the members regarding the evening meetings of Mr. Hall and Mrs. Mills.

They believe it impossible that in the course of an affair lasting four years definite information regarding it could have been concealed from the families of the two in view of the number of persons who knew of the frequent parking of the rector's sedan car in the shrubbery near the Phillips farm and who have seen them together on the place.

They have another instance of a woman who protested to her husband because the Rev. Mr. Hall parked his car in front of their home when he was making appointments with Mrs. Mills, saying it was "bringing scandal into the neighborhood."

They hope to find the woman who said, as Mr. Hall's body was being brought out of the church after the funeral services:

"So that as near as he and Eleanor will ever get to going to China together."

The prosecutors hold that if this was not mere vicious and untimely gossip it may indicate that the crime was committed because someone had information the rector was planning to go to a climate where he would be beyond the atmosphere of church and social ostracism.

Mr. Mills has himself told of a warning from a woman of the congregation which caused him to speak to Mr. Hall about gossip as to the friendship between himself and Mrs. Hall. He is to be asked specifically if this person, about whom his memory he says is hazy, was Mrs. Hall.

Mr. Toolan is by no means certain that sixteen-year-old Charlotte Mills has been entirely frank with him as to her knowledge of her mother's affairs. She has the physical and mental development and independence of a grown woman and showed an easy confidence in Mrs. Hall's support beyond what would be justified by the note sent to her after the tragedy, saying: "Don't worry; you will be taken care of."

A girl friend remonstrated against her order for a \$600 casket for her mother and reported Charlotte replied, coolly and pointedly: "I don't care what it costs; Mrs. Hall will pay for it."

One of the puzzles which becomes greater as the inquiry proceeds, is what the Rev. Mr. Hall did after leaving home early on the evening of the murder. His widow has said she

## THREE DETECTIVES SUSPENDED WHEN GIRL MAKES CHARGE

Two Other Sleuths Then Arrest Her; She Says It Is "Frame-Up."

Detectives Joseph L. Santamaria, John Cummings and William L. Curtin of the Vice Squad have been suspended without pay as a result of charges made by Miss Rose Galloway of No. 42 West 73d Street and her fiancé, Peter J. Candean, President of the firm of P. P. Candean and Company of No. 821 Broadway. The suspension was ordered Wednesday after Candean had talked to John F. Sinnott, Mayor Hylan's secretary, and Miss Galloway was arrested yesterday by Detectives McAllister and Conroy together with her friend, Miss Rose Hulsizer of No. 61 West 17th Street.

Both Miss Galloway and Miss Hulsizer were arraigned before Magistrate Jean Norris in the Women's Court on a charge made by McAllister and Conroy, who said they had gone to Miss Galloway's apartment on information furnished to them by the Society for the Prevention of Vice. The Magistrate released them in \$500 bail each and set next Tuesday as the date for a further examination.

The nature of the charge made by Miss Galloway against the three detectives was not made public officially. It was understood that she accused one of breaking into her apartment uninvited and attacking her, afterward extorting \$70 from her on threats of arrest. This happened about a week ago, she said, and a few days later she told her fiancé, Candean.

Candean, who said he was a classmate of the Mayor's secretary at college, went to see Mr. Sinnott Monday, and the suspension of the three detectives followed two days later. Miss Galloway would not discuss the case to-day, declaring she was on the verge of a nervous breakdown as a result of her experiences.

"They have framed up," she said, "because of the charge I made against the other detectives."

Candean said that he had gone to see Sinnott because he thought it disgraceful that detectives should be allowed to enter apartments uninvited and attack young women, and that he "intended to prosecute the matter to the very bottom."

understood he was going to see about a surgical bill for an operation on Mrs. Mills, which the church had guaranteed.

As far as the investigators have gone the Rev. Mr. Hall, after passing out of his home, vanished utterly.

The county detectives admit the letters found near the bodies become more interesting. These letters were not addressed or signed. They are in the handwriting of Mrs. Mills. Detectives doubt that if the Rev. Mr. Hall had received them he would have carried them with him. If Mrs. Mills wrote them why did she carry them? How did they come to be scattered about the murder spot?

Through Miss Peters Mrs. Hall refused to-day a statement quoted as coming from her yesterday to the effect that when she last saw Dr. Hall he had in his wallet a considerable sum of money he was to take to Mr. or Mrs. Mills to pay part of a debt owed to Dr. McKiernan. After the statement purporting to come from Mrs. Hall was published the physician said his payments heretofore had been by check.

Mrs. Peters said to-day that Mrs. Hall had rejected suggestions that she hire private detectives and offer a reward on the ground that such action would show an unchristian disposition to get vindictive revenge. She said that Mrs. Hall was at an absolute loss for a motive for the murder, and believed, as she said when informed of the finding of the bodies, it must have been a terrible mistake of some kind.

Miss Peters also stated that Mrs. Hall had no faith in the report of Ruck, the taxi driver, that he saw her husband's automobile near the farm with its lights out Aug. 27 and that he overtook the rector driving toward New Brunswick with a woman beside him, because Aug. 27 was a Sunday and the Rev. Mr. Hall never used his car on Sunday. Some of the persons to whom Ruck talked reported him as saying Aug. 27 and others Aug. 28.

Mrs. Amadeo de Bussey, a former state Phillips farm, who told yesterday of a woman friend who commented that the knoll near the old house was "an ideal spot for a murder," and that Mrs. de Bussey might hear of one there some time, said to-day that the woman who made the remark was Mrs. J. J. Flanagan of Woodbridge, N. J., an effort to be made by the police to find if anything but an imaginative impulse prompted Mrs. Flanagan.

To get a quieter atmosphere for the questioning of witnesses it was arranged to-day to use offices at a distance from the court house to which from which persons questioned could be conveyed quietly. Anthony Slizer, stenographer of the Grand Jury, and the detectives adjourned to those offices at 11 o'clock to-day.

It is stated that Miss Peters has been by Mrs. Hall's side since the finding of the bodies. She is a sister of the late Rev. John P. Peters of the Committee of Fourteen, who was also rector of St. Michael's Episcopal Church, Amsterdam Avenue and 95th Street, this city.

## CHARLES C. RUMSEY, NOTED AS ARTIST, DIES IN AUTO CRASH

His Body to Be Sent to Buffalo To-Night for Interment To-Morrow.

The funeral of Charles Cary Rumsey, sculptor, international polo player and son-in-law of the late E. H. Harriman, killed last night in an automobile accident on Jericho Turnpike near Floral Park, L. I., will be held in Buffalo to-morrow. His body will be sent to-night to the home of his mother Mrs. L. D. Rumsey, in Buffalo.

Mr. Rumsey, who lived at Wheatley Hills and had a studio at No. 152 East 40th Street, Manhattan, was riding with Irving Hare of No. 16 Ingram Street, Forest Hills, and Mr. Hare's fiancée, Miss Jeanette Ramsom, who lives at the Forest Hills Inn.

Mr. Hare said they were going not more than twenty-two miles an hour. Just ahead of them, as they approached the railroad bridge at Tulip Avenue, was a sedan, in which were ex-Congressman Lathrop Brown, Mrs. Brown and their chauffeur, Edward Mulcahy. Mr. Hare was about to pass the sedan as they went under the bridge.

"Everything happened at once," Mr. Hare said later. He felt a sensation as if the rear end of his car had collapsed; heard the sound of a blowout, and his car swerved and struck the left mudguard of the Brown car. Then it swung around into the stone abutment of the bridge.

The impact turned the car completely around without upsetting it. Mr. Rumsey and Miss Ramsom were flung from the rear seats like bullets. Mr. Rumsey striking the abutment on his head. Miss Ramsom landed on her right shoulder. Mr. Hare was able to retain his seat by holding to the wheel.

Mr. Rumsey was forty-two years old and was better known as a sculptor than as a polo player, although he was a member of every American polo team to compete in international matches since 1911. He was captain of the American team in England a year ago, and also of the American team defeated by the Argentine four in the international matches at Rumson, N. J., last month.

Rumsey gained his fame as a sculptor through his studies of horses. Miss Mary Harriman asked Robert W. Goetz to find a sculptor to make an equestrian statue of herself and he introduced her to Rumsey. It was a love match and they were married soon afterward, in 1910.

WILL DEFAULT POLO GAME IN RESPECT FOR RUMSEY.

PHILADELPHIA, Pa., Sept. 22.—While no official announcement has yet been made, it was authoritatively stated to-day that the Meadow Brook polo team would default to-morrow's games with Eastcott on account of the death of C. C. Rumsey, famous member of the Meadow Brook team, who was killed yesterday in an automobile accident in Long Island, N. Y. This would give Eastcott the cup.

"OTHER WOMAN" CITED BY WIDOW IN ESTATE FIGHT

Court Order Directs Miss Beck to Tell About Missing Property.

Mrs. Cassandra Cofer of No. 336 Cumberland Street, Brooklyn, appeared before Surrogate Foley to-day and secured an order directing Miss Maybelle Beck to appear and be examined about missing property in the estate of Lloyd M. Cofer, who died on Aug. 6.

For several years prior to his death Cofer had been living with Miss Beck as husband and wife, Mrs. Cofer says. The widow secured letters of administration on her husband's estate, but found that his entire deposit bank in the Guaranty Trust Company had been emptied. Bank officials informed her that Miss Beck had removed the contents on a power of attorney, which, she claimed, Cofer had given her before he died.

Mrs. Cofer also alleges that property owned by her husband at No. 288 West 127th Street, No. 320 West 138th Street and in Saratoga Springs had been transferred by deed to the Beck woman without any release of her dower right in these properties by the widow. Mrs. Cofer further alleges that her husband was critically ill before his death and that the Beck woman refused to allow any of his friends to see him.

SYRACUSE CAR PARE CUT RAISED IN UTICA.

ALBANY, Sept. 22.—The Public Service Commission to-day ordered the rate of fare on the New York Railway trolley lines in Syracuse reduced from eight cents to seven. At the same time the commission ordered that the fare on the same company's lines in Utica be increased from six to seven cents.

## Sculptor Killed in Auto Crash And Wife, Photo Made Week Ago



## TOWN COMMANDING DARDANELLES IS SEIZED BY TURKISH NATIONALISTS

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thopie sector occupied by the Allied forces, depends, it is declared, on the reply to these demands.

## LAST OF REFUGEES OFF SMYRNA QUAY

Greeks Succeed in Moving Nationals to Camps.

SMYRNA, Sept. 22 (Associated Press).—The quay at Smyrna, which had been thronged with thousands of refugees since the Turkish entry and the conflagration that followed, has finally been cleared. All the refugees have been removed to concentration camps. Deportations to the interior, meanwhile, are continuing.

The Greeks have succeeded in removing more of their nationals. Two ships chartered by them, flying the British flag, are taking 14,000 survivors to Mytilene. Two American vessels for this use are expected to-morrow.

Several naturalized Americans have arrived here from the interior. R. W. Storeman, a young college graduate of Pomona, Cal., in charge of the Greek Orphanage, is resisting all the efforts of the Turks to deport 400 orphan boys. He declares he will accompany them to the interior if they are removed.

## BRISTOL MAKES PLANS TO SAVE 500 AMERICANS

Standard Oil Also Ready to Move Constantinople Staff.

CONSTANTINOPLE, Sept. 22 (Associated Press).—The Standard Oil Company has ordered the steamer Winneamar, now at Saloniki, to proceed to Constantinople and stand by in case it is found necessary to rescue the personnel of the company and their families from the capital.

There are about 800 native-born Americans in Constantinople, and Rear Admiral Bristol, commander of the American naval forces, has drawn up plans to insure their safety.

## U. S. CRUISER TO MAKE DASH TO AID SMYRNA

Pittsburgh Will Report to Admiral Bristol for Relief Work.

PHILADELPHIA, Sept. 22.—The cruiser Pittsburgh is being fitted out at the Philadelphia Navy Yard in preparation for a dash to the Levant to aid in the rescue of destitute Armenians and Greeks. The Pittsburgh will report to Rear Admiral Mark L. Bristol at Constantinople, representing this country in relief work.

## KING'S GUARD ORDERED TO DUTY IN NEAR EAST

Grenadiers and Coldstreamers Never Sent Except for War.

LONDON, Sept. 22.—The Second Battalion of the Grenadier Guards and the Third Battalion of the Coldstream Guards were ordered to the Near East to-day.

The Duke of Connaught reviewed the Grenadiers who are to sail overseas to-night and wished them God speed and an early return.

## PORCH COLLAPSES WITH PALLBEARERS

Three women were injured by falling ten feet to-day when a porch collapsed during the funeral of Mrs. Adelaide Liegendin at Bayonne, N. J.

## IMPORTERS GLUM AS CARGOES HIT BY TARIFF ARRIVE

Two Liners May Have Been Inside 3-Mile Limit When Law Went Into Effect.

It was a gloomy crowd of importers that gathered at the Custom House to-day to surrender to the Government a great part of the profits that they had hoped to reap on merchandise purchased abroad at low prices. The new tariff was in effect and the importers faced enormous increases of duties to be paid.

The saddest of them all were those who had gone to extra expense in the hope of rushing big supplies into the country before the Tariff Law became effective. These men lose not only through the duties but also through their own costly efforts to land goods while the rates were low.

The very first man to make a withdrawal was stung. He was the consignee of more than a ton of lemons from Naples. If he had managed to get them yesterday the duty would have been only half a cent a pound. To-day it was four times as much.

The next three withdrawals—hides, diamonds and pearls—were unaffected by the new law, but after that came many shipments on which the rates have been greatly increased.

The France and the Rotterdam, two of the many ships that raced in vain to get into port ahead of the law, arrived hours late, but the importers for whom these boats were carrying goods still have one ray of hope. Their lawyers say that if the ships were within the three-mile limit when the law went into effect the goods will have to be admitted under the old tariff.

## POLICEMAN, 3 OTHERS HELD UP AS BRONX HOOD PLOT FAILS

(Continued from First Page.)

operation on the taxicab and thought it suspicious. He is known through the Bronx as one of the younger school of policemen—quick-witted and fearless.

He walked to the doors and pushed them open. Inside it was dark and he heard a voice say:

"Ah, here's a cop. He's our meat." The policeman said the next he knew he felt as if a whirlwind had struck him. He was seized, whirled around until he was dizzy and felt his revolver and nightstick leave him. Then somebody got his keys and whistle. Within a few seconds he had been bound and gagged and was whisked back, where he made the fourth in the row of victims.

The gang searched the garage some more and waited around while to see if the expected load of hood arrived, and then drove away in their car. The gang's victims strained at their bonds for almost two hours before Costelli managed to get into one of his pockets and reach a punkie. He cut his cords and then released the others.

Detective Ransburg was assigned to investigate the case and said as far as known the only things the stick-up men took were the policeman's revolver, nightstick, keys and whistle. All the victims had money and none of it was taken.

## \$1,750,000 CITY FUND VOTED TO PAY SUBWAY INTEREST

Hylan Reminded of State Convention Next Week in B. R. T. Station Contract.

The Board of Estimate to-day appropriated \$1,750,000 in corporate stock notes to meet interest charges on the city owned subways under the provisions of the dual subway contracts. The Transit Commission, which had requested this sum, was assailed by the members of the Board. The commission also had before the board a contract providing for structural changes in the Queensboro Plaza station to permit the use of cars ten feet wide. The Comptroller accused the commission of unlawfully approving station contracts to accommodate nine foot trains when they knew the B. R. T. trains destined for the route were ten feet wide. He said that the error would cost the taxpayers \$107,570.

Mayor Hylan suggested that the matter be laid over until next week. Alderman President Murray Hulbert asked the Mayor if he was not going to the convention in Syracuse next week.

"Is that a leading question?" the Mayor asked. "Well," Mr. Hulbert answered, "it is just as important to be up there selecting the right candidate for Governor as it is for us to vote on this matter to-day."

The matter then went over for two weeks.

The Board of Child Welfare requested an additional appropriation of \$1,012,190.45 to meet the requirements of the widows' pension allowance for the remainder of the year. The Secretary of the board recommended that the amount be reduced to \$375,000, which, he said, would be adequate. The application was referred to the committee of the whole.

Public hearings on the tentative budget will be held on Oct. 11, 13 and 16, and there will be public hearings on the budget as proposed for final adoption on Oct. 25 and 26.

## LAWYER MORRIS AGENT FOR U. S. IN MIXED WAR CLAIMS

International Law Lecturer to Appear Before American and German Commission.

Robert C. Morris, a member of the firm of Morris, Plante and Sax of this city, specialist in and lecturer on international law and former chairman of the Republican County Committee, has been appointed agent for the United States to appear before the mixed war claims commission of Americans and Germans. Acting Secretary of State William Phillips in formed Mr. Morris that the appointment had been made by authority of President Harding.

Mr. Morris has accepted and will go to Washington at once to confer with the State Department as to his duties. The commission has to pass upon \$500,000,000 of claims including those arising from the deaths and property losses suffered by Americans because of the sinking of the Lusitania and other ships, destruction of American property in Belgium and France and death and injuries to individuals. An item in the claims is \$50,000,000 asked by the War Risk Insurance section of the Veterans' Bureau.

Mr. Morris is a graduate of Yale. He studied continental jurisprudence in Europe from 1899 to 1901. He was to the bar in Connecticut in 1900 and opened offices in New York City in 1904. From 1904 to 1912 he lectured on international procedure in the Law Department of Yale University. In 1903 he represented the United States Government before the United States and Venezuelan Claims Commission.

## AUTO SALESMAN CRUSHED TO DEATH

TRENTON, N. J., Sept. 22.—Adam H. Danbury Jr., 32, of Princeton, a salesman with the Nash Motor Company, died in the Mercer Hospital to-day of injuries received when he was pinned by an automobile truck against the entrance to the Nash Company garage. Elmer E. Jones, of Bordentown, said he had been the driver of the machine, was locked up charged with manslaughter.

## THIRD VICTIM OF "WHITE DAMP" POISON, SENT

NEEDHAM, Mass., Sept. 22.—Matthew Mayer, eighteen, died to-day, the third victim of "White Damp," a poison in the well on the Mayer farm near here. Two men lost their lives from the effects of the poison Tuesday. Mayer died without having recovered consciousness after his attack.

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## WOUND KILLING MISS LAVOY NOT SELF INFLICTED

Coroner's Physician Shows How Gun Was Held at Trial of Creasy.

Dr. Arthur D. Jacques, Coroner's physician, who examined the body of Miss Edith Lavooy after she had been killed by a bullet through the head, declared to-day in County Court at Mineola, L. I., that the wound was not self-inflicted. He made the answer in replying to a hypothetical question asked by District Attorney Weeks, who is conducting the prosecution of William M. Creasy, charged with slaying the girl.

Dr. Jacques testified that the bullet entered the skull about two inches above and to the front of the right ear. The bullet penetrated the brain after causing a severe fracture of the skull. Dr. Jacques demonstrated upon Charles Kitchner, a court officer, in what manner he believed the gun was held when the shooting occurred. He seemed to be holding the weapon slightly back of the ear so that, if fired, the bullet would enter the head in front of the ear at a slight angle. District Attorney Weeks then put a long hypothetical question, embracing all the State's contentions in the case, and asked Dr. Jacques whether, if such circumstances were true, he believed the wound in the girl's head was self-inflicted.

Objection to admission of the answer was overruled.

"It was not," Dr. Jacques replied. Dr. Jones said that his post-mortem examination of Miss Lavooy's body disproved an aspersion alleged to have been cast upon her moral character by Creasy, which aspersion Creasy later withdrew.

Dr. Jacques said that his post-mortem examination of the body of the Smith house. He quoted Creasy as having said:

"We were on the couch and she took the gun out of my pocket. She knew I had a gun. There never was a struggle for possession of the gun. She is a sweetheart of mine. She wanted to get married this summer. I didn't think I had enough money to get married. She was not well satisfied about my making a change. I was going to get another job at the same works. I did not touch the body. I may have moved her when I jumped up. I am not sure. She was lying on her left side. I on my right side. I was half asleep when she used the shot gun. She was satisfied with the way we were getting along together. I do not know why she did it."

The surgeon was asked concerning a bloodstain upon the right cuff of the shirt Creasy wore on the night of the shooting. The gist of his reply was that the bloodstain had no relation to Creasy's cuff from the wound. The intention of that testimony was to bolster the State's contention that Creasy fired the shot and that immediately after the bullet struck and before he could get his arm out of the way, blood spurted from the wound.

## MRS. DULLES ASKS ALIMONY IN SUIT FOR SEPARATION

Motion Discloses Marital Rift Between Wealthy Society Couple.

A motion for alimony and counsel fees filed in Supreme court to-day disclosed marital troubles between Grace Thorne Dulles and her wealthy husband, L. Harrison Dulles, both well known in New York and Philadelphia society. Argument has been set for next Wednesday before Justice McCook.

Mrs. Dulles has brought an action for separation through her counsel, Arkin, Rathbone & Perry of No. 80 Broadway, who refused to make her charges public.

This year's Social Register gives the address of the Dulles as No. 67 East 52d Street. Callers there to-day would get no response and the telephone has been discontinued.

Mrs. Dulles is the daughter of Samuel Thorne, banker, and a sister of Joe Wolfe Thorne, who won a divorce from Mary Casey Thorne, Barnard College graduate known as the "Belle of Third Avenue," in a sensational suit recently.

## MILLER URGES TRIBUTE TO T. R. ON BIRTHDAY

ALBANY, Sept. 22.—Gov. Miller issued a proclamation to-day asking the public to observe the birthday of the late President Roosevelt on Oct. 27.

"From the time when Theodore Roosevelt entered the New York Assembly, at the age of twenty-three, he was a commanding personality. He was practical in no word sense, intellectual without aloofness and never allowed exalted position to fetter his personal knowledge and ability. He is and will remain for American, and for people beyond the boundaries of our country, an upright and inspiring figure."

## MUCH CHAMPAGNE AT PARTIES GIVEN AT REISENWEBER'S

Capt. Noyes, Who Fooled the Bills, Says So and Admits He Drank It.

In the proceeding instituted by the Government to secure the immediate closing of Reisenweber's former restaurant at Eighth Avenue and 42d Street on the claim that the nation's Prohibition Law has been repeatedly violated there since the court decision of July 6, last, declaring it to be a public nuisance, Judge Mantou of the Federal District Court, after hearing the testimony of a number of witnesses to-day reserved his decision.

At a prior hearing Patrolmen Burke and Leighty testified that Aug. 23 they visited the restaurant and while there saw whiskey served by waiters to known patrons of the place. Also, that two nights later when provided with a search warrant, they searched the place and found a half pint bottle of whiskey on a shelf in the basement just above a waiter's locker.

As the Government's chief witness in support of the motion to alter the decree of July last so as to make it operative immediately, Col. William Hayward, United States Attorney, to-day called Capt. G. Raymond Noyes, a banker, of No. 22 East 62d Street, to tell about six private parties he was known to have paid for at the restaurant between Aug. 23 and Sept. 8.

Capt. Noyes, a Yale man, who served with the A. E. F. abroad, although subpoenaed by the prosecution, was classified as a reluctant witness. He told about entertaining the private parties during the wee am' hours at Reisenweber's and admitted there were quite expensive affairs to him. He identified six checks totalling about \$2,600, which he said covered the expenses of the entertainment and paid for refreshments and meals to his guests and generous gifts which he made to members of the orchestra.

Preceded by Col. Hayward, Capt. Noyes admitted that at the parties he was served with champagne. He was sure, he said, it was champagne and that he drank six or seven glasses of the wine and found it exhilarating. Out of the checks Capt. Noyes said that there were occasions when he got some change back after paying the bill but in no case was the amount over \$100. One of the checks alone was for over \$500.

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